

PATENT COOPERATION TREATY

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NOTIFICATION OF ELECTION
(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
United States Patent and Trademark
Office
Box PCT
Washington, D.C.20231
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing: 05 October 2000 (05.10.00)	
International application No.: PCT/GB00/01151	Applicant's or agent's file reference: A25774 WO
International filing date: 24 March 2000 (24.03.00)	Priority date: 31 March 1999 (31.03.99)
Applicant: MALLETT, Colin, Thomas et al	

1. The designated Office is hereby notified of its election made:

in the demand filed with the International preliminary Examining Authority on:

14 August 2000 (14.08.00)

in a notice effecting later election filed with the International Bureau on:

2. The election was

was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer: J. Zahra Telephone No.: (41-22) 338.83.38
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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference A25774 WO	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/GB 00/01151	International filing date (day/month/year) 24/03/2000	(Earliest) Priority Date (day/month/year) 31/03/1999
Applicant BRITISH TELECOMMUNICATIONS PUBLIC LIMITED COMPANY		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing :
 - contained in the international application in written form.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority in written form.
 - furnished subsequently to this Authority in computer readable form.
 - the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. Certain claims were found unsearchable (See Box I).

3. Unity of Invention is lacking (see Box II).

4. With regard to the title,

- the text is approved as submitted by the applicant.
- the text has been established by this Authority to read as follows:

METHOD AND APPARATUS FOR TRANSFERRING DATA TO A TERMINAL

5. With regard to the abstract,

- the text is approved as submitted by the applicant.
- the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

- as suggested by the applicant.
- because the applicant failed to suggest a figure.
- because this figure better characterizes the invention.

1

None of the figures.

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International application No.

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Box III TEXT OF THE ABSTRACT (Continuation of Item 5 of the first sheet)

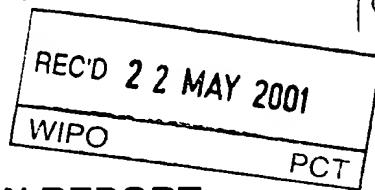
The abstract is changed as follows:

line 2, after "link" insert "(109)"
line 3, after "equipment" insert "(111,113)

09/936325

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference A25774 WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/GB00/01151	International filing date (day/month/year) 24/03/2000	Priority date (day/month/year) 31/03/1999
International Patent Classification (IPC) or national classification and IPC H04L12/58		
<p>Applicant BRITISH TELECOMMUNICATIONS PUBLIC LIMITED COMPANY</p>		
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>		
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input checked="" type="checkbox"/> Certain defects in the international application VIII <input checked="" type="checkbox"/> Certain observations on the international application 		

Date of submission of the demand 14/08/2000	Date of completion of this report 18.05.2001
Name and mailing address of the international preliminary examining authority: European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Köppl, M Telephone No. +49 89 2399 8433



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/01151

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):
Description, pages:

1-8 as originally filed

Claims, No.:

1-5 as originally filed

Drawings, sheets:

1/6-6/6 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description, pages:
- the claims, Nos.:

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EXAMINATION REPORT**

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the drawings, sheets:

5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N) Yes: Claims 2-5
 No: Claims 1

Inventive step (IS) Yes: Claims
 No: Claims 2-5

Industrial applicability (IA) Yes: Claims 1-5
 No: Claims

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

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Re Item V

Reasoned statement under Article 35 (2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- 1 Reference is made to the following documents:

D1: EP-A-0 798 899 (KONINKLIJKE PTT NEDERLAND) 01 October 1997
(1997-10-01)

D2: JP-A-101 26 407 (NEC CORP) 15 May 1998 (1998-05-15)

- 2 The subject-matter of claim 1 appears not to be novel (Article 33 (2) PCT).
- 2.1 Document D1 discloses, in terms of claim 1, a method (see title and abstract) of transmitting one or a plurality of textual messages to a destination via a communications link comprising a signalling channel and one or more data channel(s), said signalling channel being operable to establish and control connections between a source and a destination apparatus via said communications link so that data can be transferred between a source and destination via one or more of the data channel(s), said method comprising the steps of (see column 3, lines 18 to 41):
- a) firstly establishing the number of messages to be transmitted and transmitting data representing said number;
 - b) secondly identifying the sender of each message and transmitting data representing each said sender;
 - c) thirdly transmitting data representing the text of each message.
- 2.2 Since all features of claim 1 are at least implicitly known in combination from document D1, the subject-matter of claim 1 appears not to be novel (Article 33 (2) PCT).
- 3 None of the dependent claims 2-5 contains additional features which, even when drafted as an independent claim including all features of the base claims, would lead to subject-matter that appears to be novel and to involve an inventive step.

**INTERNATIONAL PRELIMINARY
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- 3.1 The additional features of claims 2 and 3 are already known from document D2. Therefore, the subject-matter of claims 2 and 3 appears not to involve an inventive step (Article 33 (3) PCT).
- 3.2 The additional features of claims 4 and 5 are matters of normal design procedure for a man skilled in the art of transmitting data messages between users. Therefore, the subject-matter of claims 4 and 5 appears not to involve an inventive step (Article 33 (3) PCT).

Re Item VII

Certain defects in the international application

- 4 Independent claim 1 is not in the two-part form in accordance with Rule 6.3 (b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art (document D1 or D2) being placed in a preamble (Rule 6.3 (b) (i) PCT) and with the remaining features being included in a characterising part (Rule 6.3 (b) (ii) PCT). Independent claim 1 should therefore have been redrafted accordingly (PCT International Preliminary Examination Guidelines III-2.3a).
- 5 Reference signs in parentheses should have been inserted in all the claims to increase their intelligibility, Rule 6.2 (b) PCT. This applies to both the preamble and characterising portion (see also PCT International Preliminary Examination Guidelines III-4.11). Where a method claim makes reference to apparatus features, these should also have been accompanied by the respective reference signs wherever appropriate.
- 6 Contrary to the requirements of Rule 5.1 (a) (ii) PCT, the relevant background art disclosed in the documents D1 and D2 is not mentioned in the description, nor are these documents identified therein. The documents D1 and D2 should therefore have been mentioned in the introductory portion of the description (see also PCT International Preliminary Examination Guidelines II-4.4).

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

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Re Item VIII

Certain observations on the international application

- 7 Claim 1 is not clear in the sense of Article 6 PCT because it uses signs in brackets ("channel(s)") which are not intended to be interpreted as reference signs. The term "channel" should have been recited in the claim language in its singular and plural form appropriately (see also PCT International Preliminary Examination Guidelines III-4.11).

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International Application No

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A. CLASSIFICATION OF SUBJECT MATTER
 IPC 7 H04L12/58 H04Q11/04

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 H04L H04Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

WPI Data, PAJ, IBM-TDB, INSPEC

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, Y	EP 0 905 944 A (SIEMENS AG) 31 March 1999 (1999-03-31) abstract column 1, line 31 -column 2, line 58 claims 1-11; figure 1	1,2
A	---	3-5
Y	WO 99 03239 A (AT & T CORP) 21 January 1999 (1999-01-21) abstract page 2, line 6 -page 3, line 2 figures 1-4B	1,2
A	EP 0 798 899 A (KONINKLIJKE PTT NEDERLAND) 1 October 1997 (1997-10-01) column 1, line 25 -column 3, line 13 claims 1-8; figures 1-3	1,2
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Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

° Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

Date of mailing of the international search report

21 July 2000

01/08/2000

Name and mailing address of the ISA

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Authorized officer

Gijsels, W

INTERNATIONAL SEARCH REPORT

International Application No

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P ,A	DE 299 00 163 U (HEIDEL S) 8 April 1999 (1999-04-08) the whole document ---	1,2
A	WO 97 01919 A (WANG K K-P) 16 January 1997 (1997-01-16) abstract page 5, line 38 -page 9, line 2 figure 1 ---	1,2
A	MILLER J G ET AL: "ACCESSING MESSAGES YOUR WAY" AT & T TECHNOLOGY, vol. 10, no. 1, page 6-9 XP000530274 SHORT HILLS; NEW JERSEY ISSN: 0889-8979 -----	

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Information on patent family members

International Application No

PCT/GB 00/01151

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
EP 0905944	A	31-03-1999	DE	19743363 A	08-04-1999
WO 9903239	A	21-01-1999	EP	0995292 A	26-04-2000
EP 0798899	A	01-10-1997	NL	1004167 C	23-10-1996
DE 29900163	U	08-04-1999	NONE		
WO 9701919	A	16-01-1997	US	5757891 A	26-05-1998
			AU	6402296 A	30-01-1997
			CN	1192837 A	09-09-1998
			EP	0873639 A	28-10-1998
			US	5956521 A	21-09-1999